

Daniel M. Petrocelli (DP-1467) (*pro hac vice* pending)  
Claudia Ray (CR-4132)  
Lee K. Fink (LF-5489) (*pro hac vice* pending)  
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*Attorneys for Defendant*  
*Metro-Goldwyn-Mayer Home*  
*Entertainment LLC*

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

SONOPRESS GMBH,

Plaintiff,

-against-

METRO-GOLDWYN-MAYER HOME  
ENTERTAINMENT LLC,

Defendant.

Civil Action No. 07 Civ 3752 (LTS)

**NOTICE OF DEFENDANT'S  
MOTION TO DISMISS  
THE COMPLAINT**

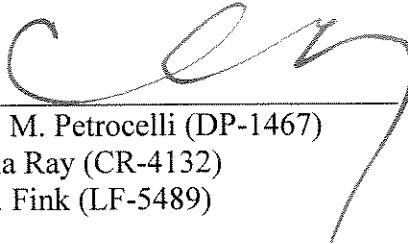
**PLEASE TAKE NOTICE** that on a date to be determined by the Court, the undersigned Defendant shall apply before the Honorable Laura Taylor Swain, United States District Judge, United States District Court for the Southern District of New York at the United States District Courthouse, 500 Pearl Street, New York, New York for an Order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing Plaintiff's Complaint, dated May 11, 2007, in its entirety with prejudice for failure to state a claim for which relief can be granted, and granting such other and further relief as the Court may deem just and proper, including the costs and disbursements of this action. In support of this application, Defendant shall rely upon Metro-Goldwyn-Mayer Home Entertainment LLC's Memorandum of Law in Support of its Motion to Dismiss, the Declaration

of Claudia Ray, Esq., dated June 14, 2007, and the exhibits thereto, as well as all of the pleadings herein.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Rule 6.1(b) of the Southern District of New York, answering papers, if any shall be served within ten business days after service of the papers herein.

Dated: New York, New York  
June 14, 2007

Respectfully submitted:  
O'MELVENY & MYERS LLP

  
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